

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

JOHN PAUL MCCULLUM

PLAINTIFF

V.

CIVIL ACTION NO. 3:22-CV-107-CWR-ASH

MARSHAL TURNER, ET AL.

DEFENDANTS

ORDER REQUIRING PRO SE DEFENDANT TO RESPOND

This matter is before the Court on Plaintiff John Paul McCullum's Motion to Compel Initial Disclosures and for Sanctions [120] against pro se Defendant Charles Townsend. Townsend filed no response in opposition by the fourteen-day deadline. L.U. Civ. R. 7(b)(4). For the reasons explained below, the Court orders Townsend to file a response to McCullum's motion by May 22, 2025.

On July 29, 2024, the Court entered a Case Management Order [99] directing the parties to serve initial disclosures by August 6, 2024. All parties, except for Townsend, complied. Because of Townsend's noncompliance, McCullum emailed and mailed a good-faith letter to Townsend requesting he produce the required disclosures by August 19, 2024. Townsend again failed to comply. The Court then stayed the case pending ruling on Defendants' Motion for Summary Judgment [101].

On March 10, 2025, the Court ruled on the Motion for Summary Judgment and ordered the parties to continue with discovery. Order [119]. McCullum again emailed and mailed a second good-faith letter to Townsend requesting he provide his initial disclosures by March 24, 2025. After Townsend failed to comply for the third time, the Court scheduled a discovery conference to be held remotely to address Townsend's delinquent disclosures. The Court emailed and mailed a copy of the order setting the discovery conference. Townsend failed to appear.

On April 9, 2025, McCullum filed his motion to compel asserting Townsend failed to serve his initial disclosures and that he should be compelled to do so. McCullum also seeks payment of reasonable fees and expenses incurred in filing the motion. After McCullum filed his motion, and on the day his response was due, Townsend sent via email to McCullum's counsel an unsigned document titled "Disclosure Statement 2025." McCullum filed a notice of his receipt of this document in the record. Not. [121]. But this document and Townsend's intent are ambiguous in light of the pending motion to compel. To the extent Townsend intends to respond to the motion to compel, he must file a signed response with the Clerk of Court by mailing it to 501 E. Court Street, Suite 2.500, Jackson, MS 39201. Fed. R. Civ. P. 11; L.U. Civ. R. 7(b)(3)(A). Townsend's unsigned and unfiled document fails to satisfy this requirement. Because Townsend is proceeding pro se, the Court will provide Townsend with a final opportunity to participate in this action by responding to the motion.

IT IS, THEREFORE, ORDERED that on or before May 22, 2025, Townsend shall file his signed response to McCullum's Motion to Compel Initial Disclosures and for Sanctions [120]. Townsend must also indicate on his filing the following civil action number: Civ. No. 3:22-CV-107-CWR-ASH. If Townsend fails to respond, the Court will consider the motion unopposed.

SO ORDERED AND ADJUDGED this the 8th day of May, 2025.

s/ Andrew S. Harris

UNITED STATES MAGISTRATE JUDGE